

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- x 16-CV-05350 (LDH)(RLM)

CHAIM HALTOVSKY, Individually and on behalf
of all others similarly situated,

Plaintiff

AFFIDAVIT

vs.

RUBIN & ROTHMAN, LLC,

Defendant

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KEITH ROTHMAN, being duly sworn, hereby sets forth the underlying to the true under
the penalties of perjury:

1. I am the President and sole shareholder of Rubin & Rothman, LLC, the Defendant named
in the above entitled action (hereinafter "R&R").
2. I submit the herein affidavit in support of the Answer filed by R&R in regard to the
above-entitled lawsuit.
3. R&R has represented Capital One Bank (USA), N.A. (hereinafter "COBNA") for many
years.
4. R&R commenced a lawsuit against the Plaintiff in the Kings County Civil Court in the
attempt to collect a debt in the amount of \$1,731.92 owed by the Plaintiff to COBNA.

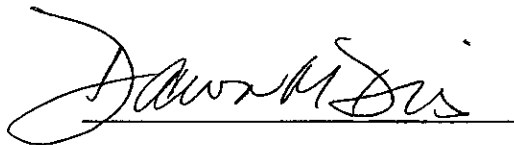
5. On October 2, 2015, a judgment in the amount of \$1,896.92 was entered in favor COBNA and against the Plaintiff.
6. As I advised plaintiff's within counsel on at least two occasions, it is the policy and practice of COBNA to waive post-judgment interest on placements made after November 11, 2014, and to waive pre-judgment interest on all placements. As a result, no pre-judgment interest was included in the judgment entered against plaintiff. In addition, since this account was received on March 2, 2015, no post-judgment interest has accrued on the judgment.
7. Based upon the foregoing, the amount of the debt is not increasing.

DATED: Islandia, New York
October 19, 2016


KEITH ROTHMAN

STATE OF NEW YORK COUNTY OF SUFFOLK ss.

On the 19 day of October, in the year 2016 before me, the undersigned, personally appeared KEITH ROTHMAN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Affidavit and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual executed the instrument.



DAWN M. DIAS
Notary Public, State of New York
No. 52-4893498
Qualified in Suffolk County
Commission Expires November 18, 2017